

CGB-CC-0845

Received & Inspected

NOV 3 - 2008

FCC Mail Room

PATAGONIC
WATERS

De la Cruz del Sur Producciones
Patagonic Waters
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Contact: Pedro José Güiraldes

October 28, 2008

Federal Communications Commission
Attention: CGB Room 3-B431
445 12th St., Southwest
Washington, DC 20554

Re: Request for Full and Exemption from Close Captioning Requirements

To whom it may concern,

De la Cruz del Sur Producciones hereby files its request for an exemption from the closed captioning rules pursuant to 47 C.F.R. & 79.1 on the basis of undue burden.

Preliminary Statement

De la Cruz del Sur Producciones is a company with no employees. It was formed in 2005 with the objective of creating, filming, producing and broadcasting a fly fishing television show known as "Patagonic Waters". The main purpose of the programme is to show Patagonia through the eyes of a fly fisherman.

Patagonic Waters has been on air for the last three years (2005/2006/2007) and its fourth season (2008) is now being aired again by The Sportsman Channel as the three mentioned previous years.

During a Calendar year, up to 12 cable television shows plus a season highlights episode are produced and broadcasted.

More precisely

- 2005: 12 episodes + highlights
- 2006: 11 episodes + highlights
- 2007: 10 episodes
- 2008: 11 episodes + highlights 2007 & 2008 (work in progress-figures may change)
- **Total: 44 episodes + 4 highlights = 48**

We had loss in years 2005 and 2006 and a very small profit in years 2007 & 2008, from this enterprise, which is at an investment and developing stage.

The production costs for the show for the past four years were:

- 2005: \$ 9,824.00
- 2006: \$ 12,322.00
- 2007: \$ 15,029.85
- 2008: \$ 22,841.00
- **Total: \$ 60,016.85**

The average production costs for each show, highlights included, in the mentioned four years period were: **\$ 1,250.35**

De la Cruz del Sur did not pay any salary during the mentioned four years period. Partners are involved, invest and work together in a profit-success basis.

The total gross income for the same period, which is solely from sponsorship and advertising, was:

- 2005: \$ 6,000.00
- 2006: \$ 11,600.00
- 2007: \$ 17,032.00
- 2008: \$ 25,898.00
- **Total: \$60,530.00**

And therefore, loss or profit, year by year

- 2005: - \$ 3,824.00
- 2006: - \$ 722.00
- 2007: + \$ 2,002.15
- 2008: + \$ 3,057.00
- **Total: + \$ 513.00**

Closed Captioning

We have analyzed and calculated the costs involved in providing closed captioning for the show. The costs include charges for captioning, editing, and shipping of the media to and from the captioner. Remember that our show is produced in Argentina and aired in USA. The approximate cost for this process would be \$ 336.00 per show, \$ 4,368.00 for 2008 season, which would leave an approximate net loss of \$ 1,311.00 in year 2008

In calendar year 2009, it is estimated that the captioning expense would also increase net loss for the company. Income is projected as \$ 22,500.00 and expenses net of salary are expected to be \$ 25,500.00 due to the fact of financial and economic crisis, in Argentina and the world.

Company Financial Resources

The assets of the company are:

Cash	\$ 1,243.00
Filming Equipment	\$ 0.00 (rental)
Library of Tapes	\$ 1,800.00 (estimated)
Sports Equipment	\$ 0.00 (conductor & host personal equipment)

As noted above, the sole source of revenue is television sponsorship and advertising. The Company always has actively compete with others for available dollars, locally (Argentina) and abroad (USA)

Alternatives to Closed Captioning

Patagonic Waters has won TSC Awards two times. Three times in a row nominated for "Best Videography", PW won the prize in 2005 and 2007. It has also been nominated for "Favorite Audience Fishing Show" in 2005 and "Fresh Water Fishing Episode" in 2006.

The company does already provide, as an alternative to closed captioning, large titles and written information, clear identifying graphics, and maps as well.

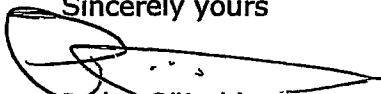
PW is mostly a video images show, with a lineal narrative, not an information show, due to that dialogs and voice over are not essentials. Nevertheless, as we already highlighted, written and graphic info are an already existing alternative.

Petitioner submits that the Commission should grant a full exemption of the closed captioning requirements because of the undue burden it causes. In particular, the expense of the enterprise combined with the limited assets of the company may require the business to shut down if the exemption is not granted.

Should you have any questions concerning the foregoing, please contact me.

Thank you for your consideration.

Sincerely yours



Pedro Güiraldes

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